

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 190 be amended to read as follows:

- 1 Page 4, between lines 17 and 18, begin a new paragraph and insert:
2 "SECTION 3. IC 33-4-5-12 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2004]: **Sec. 12. (a) The employer of a person who:**
5 **(1) is summoned to serve as a juror; and**
6 **(2) notifies the person's employer of the jury summons**
7 **within a reasonable period after receiving the jury summons**
8 **and before the person appears for jury duty;**
9 **may not subject the person to any adverse employment action as**
10 **the result of the person's jury service.**
11 **(b) An employee may not be required or requested to use**
12 **annual, vacation, or sick leave for time spent:**
13 **(1) responding to a summons for jury duty;**
14 **(2) participating in the jury selection process; or**
15 **(3) serving on a jury.**
16 **This subsection does not require an employer to provide annual,**
17 **vacation, or sick leave to an employee who is not otherwise**
18 **entitled to these benefits."**
19 Page 5, after line 28, begin a new paragraph and insert:
20 "SECTION 5. IC 33-4-5.5-23 IS ADDED TO THE INDIANA
21 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2004]: **Sec. 23. (a) The employer of a person who:**
23 **(1) is summoned to serve as a juror; and**
24 **(2) notifies the person's employer of the jury summons**
25 **within a reasonable period after receiving the jury summons**
26 **and before the person appears for jury duty;**
27 **may not subject the person to any adverse employment action as**
28 **the result of the person's jury service.**
29 **(b) An employee may not be required or requested to use**

1 **annual, vacation, or sick leave for time spent:**

2 **(1) responding to a summons for jury duty;**

3 **(2) participating in the jury selection process; or**

4 **(3) serving on a jury.**

5 **This subsection does not require an employer to provide annual,**
 6 **vacation, or sick leave to an employee who is not otherwise**
 7 **entitled to these benefits.**

8 SECTION 6. IC 33-4-11-23 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 23. (a) A person who
 10 appears for service as a petit or grand juror serves until the conclusion
 11 of the first trial in which the juror is sworn, regardless of the length of
 12 the trial or the manner in which the trial is disposed. A person who
 13 appears for service but is not selected and sworn as a juror completes
 14 the person's service at the end of one (1) day.

15 (b) A person who:

16 (1) serves as a juror under this chapter; or

17 (2) completes one (1) day of jury selection but is not chosen to
 18 serve as a juror;

19 may not be selected for another jury panel until all nonexempt persons
 20 on the master list have been called for jury duty.

21 (c) **The employer of a person who:**

22 **(1) is summoned to serve as a juror; and**

23 **(2) notifies the person's employer of the jury summons**
 24 **within a reasonable period after receiving the jury summons**
 25 **and before the person appears for jury duty;**

26 **may not subject the person to any adverse employment action as**
 27 **the result of the person's jury service.**

28 (d) **An employee may not be required or requested to use**
 29 **annual, vacation, or sick leave for time spent:**

30 **(1) responding to a summons for jury duty;**

31 **(2) participating in the jury selection process; or**

32 **(3) serving on a jury.**

33 **This subsection does not require an employer to provide annual,**
 34 **vacation, or sick leave to an employee who is not otherwise**
 35 **entitled to these benefits."**

(Reference is to SB 190 as printed January 23, 2004.)

Senator FORD